



CITY COUNCIL/ REDEVELOPMENT AGENCY AGENDA

**City of Westminster
Adjourned Regular Meeting
December 20, 2006**

6:00 p.m. – Council Conference Room

7:00 p.m. – Council Chambers

**8200 Westminster Boulevard
Westminster, California 92683**

**MARGIE L. RICE
Mayor**

**KERMIT MARSH
Mayor Pro Tem**

**FRANK G. FRY
Council Member**

**ANDY QUACH
Council Member**

**TRI TA
Council Member**

If you need special assistance to participate in this meeting, please contact the City Clerk's office at (714) 898-3311. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 American Disabilities Act Title II)

AGENDA INFORMATION

MEETINGS

Regular Meetings of the City Council/Redevelopment Agency are held the second and fourth Wednesday of each month at the hour of 6:00 p.m. (5:00 p.m. if deemed necessary) for Closed Session matters, if required. **The public session of the meeting shall commence at 7:00 p.m.** or as soon thereafter as possible.

While in the City Council Chamber, please *turn off* all cellular phones and pagers.

AGENDA INFORMATION

The agenda contains a brief general description of each item to be considered. Agendas are available at the entryway of the Council Chambers. Supporting documentation to each agenda item is available in the entryway for public review.

PUBLIC COMMENTS

Pursuant to Government Code Section 54954.3, members of the public may address the City Council/Redevelopment Agency/Public Financing Authority during each item on the agenda as called. Oral Communications is held after the Consent Calendar portion of the agenda and provides the public an opportunity to address any items of interest **not on the agenda** that are within the subject matter jurisdiction. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

To address the City Council/Redevelopment Agency on any matter, complete a "Request to Speak" form located at the entrance to the Council Chambers. Present the form to the City Clerk prior to being heard by the City Council. When speaking, please face the City Council and state your name and address for the record.

AGENDA ON THE INTERNET:

The Agenda is available at <http://www.ci.westminster.ca.us>. The agenda can be accessed on the internet on the Friday before the meeting on Wednesday.

TELEVISED MEETING SCHEDULE

Regular City Council/Agency meetings are broadcast live on Westminster Cable Channel 3 and REBROADCAST on Monday and Friday at 11:00 a.m.; Tuesday, Wednesday and Thursday at 7:00 p.m.; Wednesday at 12 noon; and Saturday and Sunday at 6:00 p.m.

PUBLIC USE OF COUNCIL CHAMBER EQUIPMENT

All computer presentations must be e-mailed or provided on a CD-ROM to the City Clerk at least 48 hours prior to the meeting. Items to be displayed on the overhead projector must be submitted to the City Clerk for review prior to use of the equipment.

AGENDA

December 20, 2006

6:00 P.M.

CLOSED SESSION

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY
DURING ANY ITEM TO BE CONSIDERED IN CLOSED SESSION.

CALL TO ORDER:

ROLL CALL

PRESENT:

ABSENT:

CLOSED SESSION:

The City Council/Redevelopment Agency will recess to a Closed Session for the following purposes:

- 1) Conference with Labor Negotiators pursuant to Government Code Section 54957.6: Designated Representatives: Interim City Manager Andy Hall, Director of Personnel/Risk Management Pat Corcoran and Finance Director Paul Espinoza; Employee Organization: Westminster Police Officers' Association (WPOA); and
- 2) Pursuant to Government Code Section 54957: Public Employment: City Manager.

RECESS:

AGENDA

December 20, 2006

7:00 P.M.

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY OR PUBLIC FINANCING AUTHORITY DURING EACH ITEM ON THE AGENDA AS CALLED.

The City Council/Redevelopment Agency of the City of Westminster will regularly convene in joint session for the purpose of considering the following City Council/Redevelopment Agency Agenda items. The Westminster Public Financing Authority is also an agency on which Council serves as members. This Agency may also have items scheduled.

RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

ROLL CALL: RICE, MARSH, FRY, QUACH, TA

PRESENT:

ABSENT:

SALUTE TO FLAG: City Attorney

INVOCATION:

REPORT OUT OF CLOSED SESSION:

The City Attorney shall determine if any actions taken by the City Council/Redevelopment Agency in Closed Session shall require a reporting on those actions as required by law (Government Code 54957.1(a) (3) (B)).

SPECIAL PRESENTATIONS:

A. Recognition of the Holiday Home Decorating Participants

AGENDA

December 20, 2006

1. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine and will be enacted by one vote. There will be no separate discussion of these items unless Members of the City Council/Redevelopment Agency/Public Financing Authority, the public, or staff request specific items be removed from the Consent Calendar for separate action or discussion.

APPROVAL OF MINUTES

- 1.1 (City Council/Redevelopment Agency) Minutes of the Adjourned Regular Meetings of the City Council/Redevelopment Agency of November 29, 2006 and December 6, 2006, and Minutes of the Regular Meeting of the City Council/Redevelopment Agency of December 13, 2006. (Marian Contreras)**

RECOMMENDATION: Approve.

ROUTINE MATTERS

- 1.2 (City Council) Denial of Application for Leave to Present a Late Claim and Claim Against the City from:**

1. Mark Alicki in an unknown amount.

RECOMMENDATION: Deny claim filed against the City.

- 1.3 (City Council/Redevelopment Agency) Waive reading in full of all ordinances and resolutions under consideration, and approve and adopt same by reading title only.**

RECOMMENDATION: Approve.

- 1.4 Revised Classification Specification – Records Supervisor (Pat Corcoran)**

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the amended classification specification for Records Supervisor.

- 1.5 Purchase of Four 2006 Honda ST1300P Police Motorcycles (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order to Orange County Honda in the amount of \$59,379.64 to purchase four 2006 Honda ST1300P Police Motorcycles.

AGENDA

December 20, 2006

1. CONSENT CALENDAR (Continued)

1.6 Lot Line Adjustment No. 2006-45 for 13621 and 13631 Beach Boulevard located at the Southwest Corner of Beach Boulevard and 23rd Street (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council accept the subject document and authorize the City Clerk to record the Lot Line Adjustment with the County of Orange Recorder's Office.

1.7 Westminster Rose Center Various Notices of Completion (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council accept the subject projects and authorize the City Clerk to file a Notice of Completion for each project with the County Recorder's Office.

- A. Notice of Completion for work performed by Industrial Masonry Corporation (Bid Package No. 5) for Masonry, Stone Veneer and Water Repellant in Connection with the Construction of the Westminster Rose Center
- B. Notice of Completion for work performed by Best Roofing and Waterproofing (Bid Package No. 8) for Roofing and Waterproofing in Connection with the Construction of the Westminster Rose Center
- C. Notice of Completion for work performed by Spectra Contract Flooring (Bid Package No. 15) for Carpet/VCT in Connection with the Construction of the Westminster Rose Center
- D. Notice of Completion for work performed by Western Painting (Bid Package No. 16) for Painting and Wall coverings in Connection with the Construction of the Westminster Rose Center
- E. Notice of Completion for work performed by Inland Building Companies (Bid Package No. 17) for Miscellaneous Specialties in Connection with the Construction of the Westminster Rose Center
- F. Notice of Completion for work performed by LVH Entertainment Systems (Bid Package No. 19) for Theatrical Rigging in Connection with the Construction of the Westminster Rose Center
- G. Notice of Completion for work performed by Ability Fire Protection (Bid Package No. 21) for Fire Protection in Connection with the Construction of the Westminster Rose Center
- H. Notice of Completion for work performed by Snowden Electric (Bid Package No. 24) for Electrical in Connection with the Construction of the Westminster Rose Center

AGENDA

December 20, 2006

1. CONSENT CALENDAR (Continued)

1.8 Increase in Purchase Order for Purchase of Water Meter Parts (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve an increase to the purchase order with AquaMetric in the amount of \$10,000.00.

ORDINANCES (SECOND READING)/RESOLUTIONS

1.9 Resolution No. 4055 - Authorizing the Mayor to Execute Agency-State Master Agreement No. 12-5338R and all Program Supplements for Federally Funded Projects (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4055 entitled, "A Resolution of the Mayor and City Council of the City of Westminster, California Approving Master Agreement No. 12-5338R between the City of Westminster and the State Department of Transportation and Authorizing the Execution of the Master Agreement and Supplemental Agreements for Federally-funded Projects", and waive further reading.

WARRANT REGISTER

1.10 (City Council/Redevelopment Agency) Warrant Register dated November 29 through December 12, 2006 (Paul Espinoza)

RECOMMENDATION: Approve.

INFORMATION AND REPORTS

1.11 Minutes of the Planning Commission meeting held November 15, 2006 (Don Anderson)

RECOMMENDATION: Receive and file.

1.12 Community Development Monthly Activity Report – November 2006 (Don Anderson)

RECOMMENDATION: Receive and file.

1.13 Minutes of the Traffic Commission meetings held November 7 and December 5, 2006 (Marwan Youssef)

RECOMMENDATION: Receive and file.

AGENDA

December 20, 2006

1. CONSENT CALENDAR (Continued)

1.14 (Redevelopment Agency) 2005-06 Redevelopment Agency Annual Report (Don Anderson)

RECOMMENDATION: Receive and file.

1.15 Treasurer's Report – November 2006 (Paul Espinoza)

RECOMMENDATION: Receive and file.

END OF CONSENT CALENDAR

2. ORAL COMMUNICATIONS

At this time members of the public may address the City Council/Redevelopment Agency regarding any items of interest not on the agenda that are within the subject matter jurisdiction of the City Council. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW

3.1 The actions of the Planning Commission meeting held on December 18, 2006 (Don Anderson)

RECOMMENDATION: That the City Council determine if they wish to call up any item(s) for review from the Planning Commission meeting of December 18, 2006.

- 1) Case No. 2006-06 Variance, Conditional Use Permit, Site Plan, Design Review. Location: Undeveloped site at the N/E corner of Beach Boulevard and Edinger Avenue.
- 2) Case No. 2006-93 Design review level 2 for rooftop telecommunication equipment. Location: Liberty Square at 9930 Bolsa Avenue.

AGENDA

December 20, 2006

4. PUBLIC HEARINGS

ADDRESSING THE CITY COUNCIL DURING PUBLIC HEARINGS: After the public hearing is opened, persons speaking in favor will be heard first, followed by those persons speaking in opposition; and then persons speaking in rebuttal. Only those persons who have spoken in favor will be permitted to speak in rebuttal.

If a spokesperson is designated to speak in favor or in opposition, that spokesperson will have twelve (12) minutes to speak. Thereafter, each person speaking in favor or in opposition will have three (3) minutes to speak. The total time for speaking in favor or in opposition shall not exceed 30 minutes. Those persons speaking in rebuttal will have three minutes each, or a total of 20 minutes for rebuttal. The City Council may use its discretion to allow a speaker to exceed time limits.

NOTE: If a challenge is made by any party in court from actions arising out of a public hearing, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered at the public hearing or prior thereto.

- 4.1 APPEAL OF PLANNING COMMISSION ACTION OF OCTOBER 18, 2006, APPROVING CASE NO. 2006-24 (VARIANCE, CONDITIONAL USE PERMIT, SITE PLAN, DESIGN REVIEW); LOCATION: 13982 BOLSA CHICA ROAD. APPLICANT: MR. DAN POPA OF RHL DESIGN GROUP; APPELLANTS: DENNIS C. TURNER, RANDALL RESSELL, DON AND CAROL SALOW (CONTINUED FROM THE NOVEMBER 29, 2006 MEETING) (Michael Patterson)**

RECOMMENDATION: That the Mayor and City Council reopen the public hearing, consider the revised plans, take testimony, take action to approve or deny the project, and direct staff to prepare an appropriate resolution for Council's consideration in January, 2007.

- 4.2 COMMUNITY DEVELOPMENT BLOCK GRANT "NEEDS ASSESSMENT" FOR PREPARATION OF FY 2007 CONSOLIDATED ANNUAL ACTION PLAN (Kathy Johnston)**

RECOMMENDATION: Staff recommends that the Mayor and City Council open a public hearing to receive public comments on the needs of the community.

AGENDA

December 20, 2006

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

5.1 Council/Agency Member Items

5.2 AB 1234 Reports – None

5.3 Request for City Council to consider waiving the business license fee for the Rose Center Foundation to operate the Rose Center Theater. (Mayor Rice)

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.1 Activity Schedule and Proposed Program Budget for Westminster's 50th Anniversary. (Greg Johnson)

That the Mayor and City Council

- 1) Approve the events proposed by the 50th Anniversary Citizen's Committee,
- 2) Authorize the Interim City Manager to implement the events throughout 2007 to celebrate the City's anniversary, and
- 3) Approve a budget transfer in the amount of \$89,650 from the General Fund Contingency Account to the Community Services Department – Special Department Expenses Account.

6.2 Consideration of Alternative Council/Agency Meeting Date for January 10, 2007. (Marian Contreras)

RECOMMENDATION: Staff recommends that the City Council/Agency Board consider an alternative meeting date for the Regular Meeting of Wednesday, January 10, 2007.

6.3 Study Session for the 2007-2008 Community Development Block Grant (CDBG) and HOME Program funds. (Kathy Johnston)

RECOMMENDATION: Staff recommends that the City Council schedule a study session between February 1, 2007 and February 22, 2007 to hear presentations from Non-profit Agencies and City Departments applying for fiscal year 2007-2008 HOME/CDBG funds.

AGENDA

December 20, 2006

7. **WRITTEN COMMUNICATIONS (Public) – None**

8. **LEGISLATIVE ITEMS**

8.1 **Resolution No. 4054 - Providing for a Compensation Plan for Part-Time Employees of the City of Westminster (Pat Corcoran)**

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Authorize a budget transfer in the amount of \$6,530 from the Public Works Government Buildings Contingency Account to the Public Works Government Buildings Part Time Salaries Account; and
- 2) Adopt Resolution No. 4054 entitled, "A Resolution of the Mayor and City Council of the City of Westminster providing for a compensation plan for part-time employees of the City of Westminster", and waive further reading.

8.2 **Resolution No. 4050 - Providing for a Compensation Plan for Employees Represented by the Westminster Police Officers' Association (Mitch Waller)**

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Authorize appropriations from accounts as follows:

| <u>From</u> | <u>To</u> | <u>Amount</u> |
|-------------------------|------------------------------------|---------------|
| General Fund Balance | General Police Services | \$744,097.00 |
| Supp. Law Enf. Services | Citizens Options for Public Safety | \$ 2,600.00 |
| | | \$746,697.00 |

- 2) Adopt Resolution No. 4050 entitled "A Resolution of the City Council of the City of Westminster Providing for a Compensation Plan for Employees Represented by the Westminster Police Officers' Association" to be effective July 1, 2006 through June 30, 2010, and waive further reading.

8.3 **Resolution No. 4057 - Establishment of a Fire Lane on Wells Road Adjacent to the Emergency Access Gate for 8211 San Angelo Drive, located in the City of Huntington Beach (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4057 entitled, "A Resolution of the Mayor and City Council of the City of Westminster Establishing a Fire Lane and No Stopping or Parking at a Certain Location on the North Side of Wells Road", and waive further reading.

AGENDA

December 20, 2006

9. COMMISSION AND COMMITTEE ITEMS

9.1 Council Representation on Outside Agencies (Marian Contreras)

RECOMMENDATION: Staff recommends that the Mayor and City Council appoint members to represent the City on outside agencies.

9.2 Request for parking restrictions on Brookhurst Street (Frontage Road) North and South of Margo Lane – T.C. 73-132 (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the recommendation of the Traffic Commission and adopt Resolution No. 4052 entitled, "A Resolution of the Mayor and City Council of the City of Westminster providing for the installation of parking restrictions on the West Side of Brookhurst Street (Frontage Road) North and South of Margo Lane", and waive further reading.

9.3 Request for parking restrictions on the North Side of Heil Avenue East of Galaxy Drive – T.C. 75-114 (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the recommendation of the Traffic Commission and adopt Resolution No. 4056 entitled, "A Resolution of the Mayor and City Council of the City of Westminster providing for the installation of parking restrictions on the North Side of Heil Avenue East of Galaxy Drive", and waive further reading.

9.4 Appeal of the Traffic Commission's Denial of a Request for On-Street Disabled Parking at 7412 Colby Circle. Appellant: George and Margaret Mollis (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the recommendation of the Traffic Commission to deny the installation of on-street disabled parking at 7412 Colby Circle.

10. COUNCIL/AGENCY ADJOURNMENT

DECLARATION: This agenda was posted on the Bulletin Board outside of the Council Chambers, where completely accessible to the public, at least 72 hours in advance of the City Council/Redevelopment Agency meeting.


Marian Contreras, City Clerk/Agency Secretary